

REMARKS

Claims 1-18 are pending in this application. By this Amendment, claims 1, 6 and 11 are amended. Support for the claims can be found, at least, in paragraphs [0002], [0122]-[0124], [0149]-[0153], [0170]-[0196] and [0211]-[0229]. Claims 2-4, 7-9, 12 and 14 are amended for claim language consistency. No new matter is added.

Entry of the amendments is proper under 37 CFR §1.116 because the finality of the Office Action is being withdrawn, pursuant to an agreement reached on February 26, 2009. Thus, entry of the amendments is respectfully requested.

Applicants sincerely appreciate the courtesies shown to Applicants' representative by Examiner Robinson and her Supervisor in the February 26, 2009 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

I. Applicants Request the Finality of the Rejection be Withdrawn

As a preliminary matter, Applicants respectfully traverse the finality of the current Office Action and request the finality of the rejection be withdrawn. During the February 26 interview, Examiner Robinson agreed to withdraw the finality of the current Office Action. Applicants sincerely appreciate this courtesy.

Additionally, in the interest of a full record, Applicants present their formal reasons for withdrawing the finality of the Office Action below.

The Office Action states that the specification does not describe the recited feature of "generating and evaluating scores." These features represented a substantial portion of the argument presented in the October 24 Amendment. The Office Action states that because the amendments "fail to comply with the written description requirement...the amendments are therefore not considered."

A. If the Amendments Had Been Considered Finality Would Have Been Improper

As discussed during the February 26 personal interview, Applicants' October 24 Amendment was filed with a Request for Continued Examination (RCE). MPEP §706.07(b) states that a first action, after an RCE, may only be made final if the claims can be properly rejected on the same grounds and art of record as the previous rejection. Applicants submit that entry of the claim amendments of the October 24 Amendment would have overcome the previous (and current) rejection. As such, had the claim amendments been considered, the current Office Action would not have been final. As is discussed below, in the context of the §112 rejection, the recited "scores" are described by the specification.

Furthermore, the §112 rejection constituted a new grounds of rejection. As such, for all of these reasons, the current Office Action should not have been final.

B. Applicants Relied Upon the Examiner's Implied Assertion that the Features Were Supported

Furthermore, Applicants discussed the relevant portions of the specification related to the amended features with the Examiner during the July 17 personal interview. During that interview, the Examiner suggested the amended features. Applicants reasonably relied upon this recommendation.

Applicants again thank the Examiners for indicating the finality of the current Office Action will be withdrawn.

II. §112 Rejection

The Office Action rejects claims 1-18 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed.

Claims 1, 6 and 11, as amended, no longer contain the phrase "generate and evaluate scores." Thus, withdrawal of the rejection of claims 1, 6 and 11 is respectfully requested.

However, dependent claims 2-4, 7-9 and 10-12 still recite the use of "scores."

Applicants respectfully assert these claims are described.

Applicants concede the word "scores" is not found in the instant specification.

However, the concept of a score is supported by the specification. A score is a numerical assessment of some value. The specification supports the generation and evaluation of such numerical values.

For example, the specification states that the values are "weighted" based on numbers assigned to given groups See [0215] of specification. Weighting can only be done on numerical values, such as scores. The specification also states "member choices are weighted by values 4, 3, 2, 1 or 0 and the obtained values are added together...this obtained sum may be used as the evaluation index." See [0229] in published application. Using numbers that are added together to evaluate the importance of a choice is the same as scoring the choice.

Thus, claims 2-4, 7-9, and 12-14 are described by the specification.

III. §103(a) Rejection

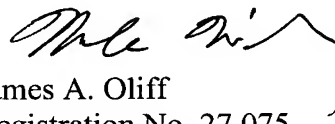
The Office Action also rejects claims 1-18 under 35 U.S.C. §103(a) over Masamichi et al. (JP 2003-085347) in view of Schlack (U.S. Publication No. 2007/0226628). This rejection is respectfully traversed.

As discussed during the personal interview, Independent claims 1, 6 and 11, as amended, now recite that "the evaluation unit is configured to calculate a strength of influence and an extent of influence, for each of the groups, based on the activities, the concepts or the groups, or any arbitrary combination thereof, based on the activity data and the concept data." Masamichi and Schlack either alone or in combination fail to disclose or suggest this feature. Accordingly, withdrawal of the rejection of claims 1, 6 and 11, and claims 2-5, 7-9, and 12-18 depending therefrom, is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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